



Reprinted
April 4, 2003

ENGROSSED SENATE BILL No. 203

DIGEST OF SB 203 (Updated April 3, 2003 10:28 AM - DI 106)

Citations Affected: IC 10-1; IC 34-30.

Synopsis: Immunity for Amber alert broadcasters. Provides civil immunity for a broadcaster that participates in the Amber alert program and broadcasts the contents of an Amber alert notification it has received from the state police. Grants civil immunity to a person who enters into an agreement with the state police to establish or maintain an Amber alert web site if the agreement provides that only the state police may place information on the web site. Makes a conforming amendment.

Effective: Upon passage.

**Zakas, Skinner, Meeks C, Rogers,
Hershman, Broden, Long, Wyss,
Drozda**

(HOUSE SPONSORS — WELCH, CROOKS, FOLEY, THOMAS)

January 9, 2003, read first time and referred to Committee on Criminal, Civil and Public Policy.

January 28, 2003, reported favorably — Do Pass.

February 3, 2003, read second time, amended, ordered engrossed.

February 4, 2003, engrossed.

February 6, 2003, read third time, passed. Yeas 50, nays 0.

HOUSE ACTION

March 4, 2003, read first time and referred to Committee on Judiciary.

March 25, 2003, reported — Do Pass.

March 27, 2003, read second time, ordered engrossed. Engrossed.

March 30, 2003, returned to second reading.

April 3, 2003, read second time, amended, ordered engrossed.

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ES 203—LS 7226/DI 106+



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April 4, 2003

First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

ENGROSSED SENATE BILL No. 203

A BILL FOR AN ACT to amend the Indiana Code concerning state police, civil defense and military affairs.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 10-1-7-5.7 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: **Sec. 5.7. (a) A broadcaster that has agreed to**
4 **participate in the Amber alert program and that:**
5 **(1) receives an Amber alert notification from the department;**
6 **and**
7 **(2) broadcasts:**
8 **(A) a description of the abducted child contained in the**
9 **notification; and**
10 **(B) other information contained in the notification that will**
11 **assist in locating the child;**
12 **is immune from civil liability based on the broadcast of the**
13 **information received from the department.**
14 **(b) If:**
15 **(1) a person enters into an agreement with the department to**
16 **establish or maintain an Amber alert web site; and**
17 **(2) the agreement provides that only the department has the**

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1 ability to place information on the web site;
2 the person is immune from civil liability for the information placed
3 on the web site by the department. However, this subsection does
4 not affect the applicability of IC 34-13-3 to the department.

5 SECTION 2. IC 34-30-2-35.7 IS ADDED TO THE INDIANA
6 CODE AS A NEW SECTION TO READ AS FOLLOWS
7 [EFFECTIVE UPON PASSAGE]: Sec. 35.7. IC 10-1-7-5.7
8 (Concerning a broadcaster who broadcasts an Amber alert
9 notification, and a person who establishes or maintains an Amber
10 alert web site under an agreement with the state police
11 department).

12 SECTION 3. An emergency is declared for this act.

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SENATE MOTION

Mr. President: I move that Senator Skinner be added as second author of Senate Bill 203.

ZAKAS

SENATE MOTION

Mr. President: I move that Senators Meeks C, Rogers, Hershman and Broden be added as coauthors of Senate Bill 203.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Criminal, Civil and Public Policy, to which was referred Senate Bill No. 203, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 203 as introduced.)

LONG, Chairperson

Committee Vote: Yeas 11, Nays 0.

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SENATE MOTION

Mr. President: I move that Senate Bill 203 be amended to read as follows:

Page 2, line 3, after "department." insert "**However, this subsection does not affect the applicability of IC 34-13-3 to the department.**".

(Reference is to SB 203 as printed January 29, 2003.)

ZAKAS

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SENATE MOTION

Mr. President: I move that Senators Long, Wyss and Drozda be added as coauthors of Engrossed Senate Bill 203.

ZAKAS

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 203, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

LAWSON L, Chair

Committee Vote: yeas 11, nays 0.

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HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 203 be returned to the second reading calendar for the purpose of amendment.

WELCH

HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 203 be amended to read as follows:

Replace the effective dates in SECTIONS 1 through 2 with "[EFFECTIVE UPON PASSAGE]".

Page 2, after line 10, begin a new paragraph and insert:
"SECTION 3. **An emergency is declared for this act.**".

(Reference is to ESB 203 as printed March 25, 2003.)

WELCH

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